

Agriculture and Natural Resources Appropriations Bill House File 2540

Last Action:

**House Appropriations
Committee**

February 22, 2006

An Act relating to and making appropriations involving State government, including provisions affecting agriculture and natural resources and providing fees.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2540
AG/NATURAL RESOURCES APPROPRIATIONS BILL**

FUNDING SUMMARY

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- Appropriates a total of \$36.9 million from the General Fund and 1,525.0 FTE positions for FY 2007. This is an increase of \$100,000 and 18.0 FTE positions compared to the estimated FY 2006 General Fund appropriation. The Bill also appropriates a total of \$40.5 million of other funds.
- Makes the following General Fund increases or decreases for FY 2007:
 - **Department of Agriculture and Land Stewardship:**
 - \$50,000 increase for the Dairy Products Bureau. (Page 2, Line 10)
 - \$50,000 increase to reimburse Soil and Water Conservation District Commissioners for administrative expenditures. (Page 3, Line 11)
 - **Department of Natural Resources (DNR):**
 - Adds 11.0 FTE positions for programs funded with money from the Fish and Game Protection Fund. (Page 4, Line 16)
 - \$1.8 million and 11.0 FTE positions from the Fish and Game Protection Fund for the following: (Page 4, Line 29)
 - \$1.0 million and 9.0 FTE positions for additional patrol staff for boat safety and prevention of aquatic invasive species.
 - \$120,000 and 1.0 FTE position for a Water Safety/Water Trails Coordinator.
 - \$230,000 for the Missouri River Fisheries Project.
 - \$375,000 for the increased cost of gasoline.
 - 1.0 FTE position for an administrative assistant to assist with various recreation programs.
 - \$120,000 to contract with a hunting group, non-profit organization, or individual to train persons handling firearms.
 - \$300,000 allocation from the Groundwater Protection Fund for a Statewide Computer Recycling Program. (Page 6, Line 5)
 - \$400,000 and 4.0 FTE positions from the National Pollutant Discharge Elimination System (NPDES) Permit Fund to process NPDES permit applications. (Page 12, Line 9)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2540
AG/NATURAL RESOURCES APPROPRIATIONS BILL**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

INTENT LANGUAGE

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- **Department of Economic Development (DED):**
 - \$150,000 from the Unassigned Revenue Fund (Underground Storage Tank Fund) and 1.0 FTE position for an environmental refueling systems advocate. (Page 7, Line 20)
 - \$100,000 and 2.0 FTE positions to provide information and technical assistance to operations requiring a NPDES permit. One position will specialize in livestock operations and the other in non-livestock operations. (Page 12, Line 24)
- Prohibits the DNR from exceeding the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity, and is approved by the Natural Resource Commission. (Page 5, Line 17)
- Requires the departments within the Agriculture and Natural Resources Appropriations Subcommittee to review their short-term use of vehicles and revise their policies on short-term use to maximize cost savings. The departments are required to issue an initial report by December 1, 2006, and a follow-up report by December 1, 2007, to the Government Oversight Committees, on their policy revisions and the savings realized from the changes. (Page 13, Line 17)
- Allows the DNR to use unappropriated funds from the State Fish and Game Protection Fund for payment of conservation peace officer retirement benefits. (Page 5, Line 11)
- Permits the DNR to use Stormwater Discharge Permit Fees to fund the following:
 - 2.0 FTE positions to review and approve flood plain permit applications. (Page 8, Line 9)
 - 2.0 FTE positions for the federal Total Maximum Daily Load Program. (Page 8, Line 20)
- Specifies nonreversion of funds appropriated to the NPDES Permit Fund. (Page 10, Line 16)

House File 2540 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	29	5	Nwthstnd	Sec. 8.33	Nonreversion of Avian Influenza Program Funds
5	11	11	Nwthstnd	Sec. 455A.10	Payment of Fish and Wildlife Officer Retirement Benefits
8	9	17	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Stormwater Permit Fee Backlog
8	20	18	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Total Maximum Daily Load Program
9	16	20	Amends	Sec. 455B.103A(4), Code Supplement 2005	Deposits NPDES Permit Fees Into the NPDES Permit Fund
9	24	20	Adds	Sec. 455B.103A(4)(b), Code Supplement 2005	Requires Commission to Adopt Rule for NPDES
9	27	21	Adds	Sec. 455B.105(11), Code Supplement 2005	Administrative Rules for NPDES Permits
9	34	22	Adds	Sec. 455B.196	Creates the NPDES Permit Fund
10	16	22	Nwthstnd	Sec. 8.33, 12C.7	Nonreversion of NPDES Permit Funds
10	21	23	Adds	Sec. 455B.197	Schedule of NPDES Permit Fees

1 1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 2 GENERAL APPROPRIATIONS

1 3 Section 1. GENERAL FUND -- DEPARTMENT. There is
1 4 appropriated from the general fund of the state to the
1 5 department of agriculture and land stewardship for the fiscal
1 6 year beginning July 1, 2006, and ending June 30, 2007, the
1 7 following amount, or so much thereof as is necessary, to be
1 8 used for the purposes designated:

1 9 For purposes of supporting the department, including its
1 10 divisions, for administration, regulation, and programs, for
1 11 salaries, support, maintenance, miscellaneous purposes, and
1 12 for not more than the following full-time equivalent
1 13 positions:

1 14 \$ 17,837,900
1 15 FTEs 404.39

General Fund appropriation to the Administrative Division of the Department of Agriculture and Land Stewardship.

DETAIL: Maintains the current level of General Fund support and FTE positions.

1 16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
1 17 DESIGNATED APPROPRIATIONS -- ANIMAL HUSBANDRY

1 18 Sec. 2. GENERAL FUND -- CHRONIC WASTING DISEASE CONTROL
1 19 PROGRAM. There is appropriated from the general fund of the
1 20 state to the department of agriculture and land stewardship
1 21 for the fiscal year beginning July 1, 2006, and ending June
1 22 30, 2007, the following amount, or so much thereof as is
1 23 necessary, to be used for the purposes designated:
1 24 For purposes of administering a chronic wasting disease
1 25 control program for the control of chronic wasting disease
1 26 which threatens farm deer as provided in chapter 170,
1 27 including for salaries, support, maintenance, and
1 28 miscellaneous purposes:
1 29 \$ 100,000

General Fund appropriation to the Chronic Wasting Disease Program.

DETAIL: Maintains the current level of General Fund support.

1 30 The program may include procedures for the inspection and

Specifies the Program will include inspection and testing of farm deer,

1 31 testing of farm deer, responses to reported cases of chronic	response to reported cases of Chronic Wasting Disease, and
1 32 wasting disease, and methods to ensure that owners of farm	procedures for moving farm deer around the State resulting from a
1 33 deer may engage in the movement and sale of farm deer.	sale.
1 34 Sec. 3. HORSE AND DOG RACING. There is appropriated from	Appropriates a total of \$305,516 to the Native Horse and Dog
1 35 the moneys available under section 99D.13 to the department of	Breeder's Program from the unclaimed pari-mutuel receipts winnings.
2 1 agriculture and land stewardship for the fiscal year beginning	DETAIL: Maintains the current level funding.
2 2 July 1, 2006, and ending June 30, 2007, the following amount,	
2 3 or so much thereof as is necessary, to be used for the	
2 4 purposes designated:	
2 5 For purposes of supporting the department's administration	
2 6 and enforcement of horse and dog racing law pursuant to	
2 7 section 99D.22, including for salaries, support, maintenance,	
2 8 and miscellaneous purposes:	
2 9 \$ 305,516	
2 10 Sec. 4. GENERAL FUND -- DAIRY PRODUCTS CONTROL. There is	General Fund appropriation to the Dairy Products Control Bureau.
2 11 appropriated from the general fund of the state to the	
2 12 department of agriculture and land stewardship for the fiscal	DETAIL: This is an increase of \$50,000 compared to the estimated
2 13 year beginning July 1, 2006, and ending June 30, 2007, the	FY 2006 General Fund appropriation.
2 14 following amount, or so much thereof as is necessary, to be	
2 15 used for the purposes designated:	
2 16 For purposes of supporting the operations of the dairy	
2 17 products control bureau, including for salaries, support,	
2 18 maintenance, and miscellaneous purposes:	
2 19 \$ 693,166	
2 20 Sec. 5. GENERAL FUND -- AVIAN INFLUENZA CONTROL. There is	General Fund appropriation to the Avian Influenza Program.
2 21 appropriated from the general fund of the state to the	
2 22 department of agriculture and land stewardship for the fiscal	DETAIL: Maintains the current level of General Fund support.
2 23 year beginning July 1, 2006, and ending June 30, 2007, the	
2 24 following amount, or so much thereof as is necessary, to be	
2 25 used for the purpose designated:	
2 26 For purposes of controlling avian influenza by conducting	
2 27 testing and monitoring:	

2 28 \$ 50,000

2 29 Notwithstanding section 8.33, moneys appropriated in this
 2 30 section that remain unencumbered or unobligated at the close
 2 31 of the fiscal year shall not revert but shall remain available
 2 32 for the continued testing and monitoring of avian influenza
 2 33 until the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated to the Avian Influenza Program Fund.

DETAIL: As of February 10, 2006, \$33,323 has been expended from the Fund.

2 34 Sec. 6. GENERAL FUND -- APIARY LAW. There is appropriated
 2 35 from the general fund of the state to the department of
 3 1 agriculture and land stewardship for the fiscal year beginning
 3 2 July 1, 2006, and ending June 30, 2007, the following amount,
 3 3 or so much thereof as is necessary, to be used for the
 3 4 purposes designated:
 3 5 For purposes of administering and enforcing apiary law as
 3 6 provided in chapter 160, including for salaries, support,
 3 7 maintenance, and miscellaneous purposes:
 3 8 \$ 40,000

Appropriates \$40,000 for the Apiary Program.

DETAIL: Maintains the current level of General Fund support.

3 9 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 3 10 DESIGNATED APPROPRIATIONS -- MISCELLANEOUS

3 11 Sec. 7. GENERAL FUND -- SOIL AND WATER CONSERVATION
 3 12 DISTRICTS. There is appropriated from the general fund of the
 3 13 state to the department of agriculture and land stewardship
 3 14 for the fiscal year beginning July 1, 2006, and ending June
 3 15 30, 2007, the following amount, or so much thereof as is
 3 16 necessary, to be used for the purposes designated:
 3 17 For purposes of reimbursing commissioners of soil and water
 3 18 conservation districts for administrative expenses including
 3 19 but not limited to travel expenses, technical training, and
 3 20 professional dues:
 3 21 \$ 250,000

General Fund appropriation to Soil and Water Conservation District Commissioners for expenditure reimbursement.

DETAIL: This is an increase of \$50,000 compared to the estimated FY 2006 General Fund appropriation.

3 22 A soil and water conservation district receiving moneys
 3 23 from an allocation provided pursuant to this section shall
 3 24 submit a report to the soil conservation division of the
 3 25 department of agriculture and land stewardship by January 1,
 3 26 2007, accounting for moneys which have been expended or
 3 27 unexpended or which have been obligated or encumbered. The
 3 28 report shall state how the moneys were used.

Specifies that Soil and Water Conservation Districts receiving funds must submit a report to the Soil Conservation Division in the Department of Agriculture and Land Stewardship by January 1, 2007, detailing the expenditure of funds.

3 29 Sec. 8. GENERAL FUND -- SENIOR FARMERS MARKET NUTRITION
 3 30 PROGRAM. There is appropriated from the general fund of the
 3 31 state to the department of agriculture and land stewardship
 3 32 for the fiscal year beginning July 1, 2006, and ending June
 3 33 30, 2007, the following amount, or so much thereof as is
 3 34 necessary, to be used for the purposes designated:
 3 35 For purposes of administering a senior farmers market
 4 1 nutrition program, including for salaries, support,
 4 2 maintenance, and miscellaneous purposes:
 4 3 \$ 77,000

General Fund appropriation to the Senior Farmers Market Nutrition Program.

DETAIL: Maintains the current level of General Fund support.

4 4 Sec. 9. GENERAL FUND -- STATE INTERAGENCY MISSOURI RIVER
 4 5 AUTHORITY. There is appropriated from the general fund of the
 4 6 state to the department of agriculture and land stewardship
 4 7 for the fiscal year beginning July 1, 2006, and ending June
 4 8 30, 2007, the following amount, or so much thereof as is
 4 9 necessary, to be used for the purpose designated:
 4 10 For purposes of supporting the department's membership in
 4 11 the state interagency Missouri river authority, created in
 4 12 section 28L.1, in the Missouri river basin association:
 4 13 \$ 9,535

General Fund appropriation to the Missouri River Authority.

DETAIL: Maintains the current level of General Fund support.

4 14 DEPARTMENT OF NATURAL RESOURCES
 4 15 GENERAL APPROPRIATIONS

4 16 Sec. 10. GENERAL FUND -- DEPARTMENT. There is

General Fund appropriation to the Department of Natural Resources

4 17 appropriated from the general fund of the state to the
 4 18 department of natural resources for the fiscal year beginning
 4 19 July 1, 2006, and ending June 30, 2007, the following amount,
 4 20 or so much thereof as is necessary, to be used for the
 4 21 purposes designated:
 4 22 For purposes of supporting the department, including its
 4 23 divisions, for administration, regulation, and programs, for
 4 24 salaries, support, maintenance, miscellaneous purposes, and
 4 25 for not more than the following full-time equivalent
 4 26 positions:
 4 27 \$ 17,792,579
 4 28 FTEs 1,113.63

(DNR).

DETAIL: Maintains the current level of General Fund support and an increase of 11.00 FTE positions. The FTE positions will be funded from an appropriation to the Fish and Wildlife Trust Fund for the following:

- 4.00 FTE positions for boat safety programs (seasonal employees).
- 4.00 FTE positions for the Aquatic Invasive Species Program (seasonal employees).
- 1.00 FTE position for the Aquatic Invasive Species Program.
- 1.00 FTE position for a Water Safety/Water Trails Coordinator.
- 1.00 FTE position for an administrative assistant to assist with the Water Safety/Water Trails Program and programs related to snowmobiles and all-terrain vehicles.

4 29 Sec. 11. STATE FISH AND GAME PROTECTION FUND -- DIVISION
 4 30 OF FISH AND WILDLIFE.

State Fish and Game Protection Fund appropriation to the Fisheries and Wildlife Bureaus in the DNR.

4 31 1. a. There is appropriated from the state fish and game
 4 32 protection fund to the department of natural resources for the
 4 33 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 4 34 the following amount, or so much thereof as is necessary, to
 4 35 be used for the purposes designated:

DETAIL: This is an increase of \$1,845,000 compared to the estimated FY 2006 appropriation for the following:

5 1 For purposes of supporting the division of fish and
 5 2 wildlife, including for administration, regulation, and
 5 3 programs, and for salaries, support, maintenance, equipment,
 5 4 and miscellaneous purposes:
 5 5 \$ 34,322,525

- \$1,000,000 for additional patrol staff for boat safety and prevention of aquatic invasive species.
- \$120,000 for a Shooting Sports Program.
- \$120,000 for a Coordinator for a Water Safety/Water Trails Coordinator.
- \$230,000 for two biologists for the Missouri River Fisheries Project.
- \$375,000 for the increased cost of gasoline.

5 6 b. Of the amount appropriated in paragraph "a", \$120,000
 5 7 shall be allocated to contract with hunting clubs, nonprofit
 5 8 organizations, or individuals that will provide training and
 5 9 assistance to persons interested in sports activities

Specifies that \$120,000 of the additional funds from the Fish and Game Protection Fund be used to contract with hunting groups, nonprofit organizations, or an individual, to provide training and other activities for persons interested in shooting firearms.

5 10 involving the use of firearms.

5 11 c. Notwithstanding section 455A.10, the department may use
 5 12 the unappropriated balance remaining in the fish and game
 5 13 protection fund to provide for the funding of health and life
 5 14 insurance premium payments from unused sick leave balances of
 5 15 conservation peace officers employed in a protection
 5 16 occupation who retire, pursuant to section 97B.49B.

CODE: Allows the DNR to use unappropriated funds in the Fish and Game Protection Fund to provide compensation to retiring conservation officers. This includes payment of insurance premiums and unused sick leave.

DETAIL: There was one conservation officer that retired in FY 2005 with a retirement benefit cost of \$71,500.

5 17 2. The department shall not expend more moneys from the
 5 18 fish and game protection fund than provided in this section,
 5 19 unless the expenditure derives from contributions made by a
 5 20 private entity, or a grant or moneys received from the federal
 5 21 government, and is approved by the natural resource
 5 22 commission. The department of natural resources shall
 5 23 promptly notify the legislative services agency and the
 5 24 chairpersons and ranking members of the joint appropriations
 5 25 subcommittee on agriculture and natural resources concerning
 5 26 the commission's approval.

Prohibits the DNR from expending more than the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity. Requires the approval of the Natural Resource Commission and notification of the Chairpersons and Ranking Members of the Agriculture and Natural Resources Appropriations Subcommittee.

5 27 Sec. 12. GROUNDWATER PROTECTION FUND -- WATER QUALITY.

5 28 1. There is appropriated from the groundwater protection
 5 29 fund created in section 455E.11 to the department of natural
 5 30 resources for the fiscal year beginning July 1, 2006, and
 5 31 ending June 30, 2007, from those moneys which are not
 5 32 allocated pursuant to that section, the following amount, or
 5 33 so much thereof as is necessary, to be used for the purposes
 5 34 designated:

5 35 For purposes of supporting the department's protection of
 6 1 the state's groundwater, including for administration,
 6 2 regulation, and programs, and for salaries, support,
 6 3 maintenance, equipment, and miscellaneous purposes:
 6 4 \$ 3,455,832

Groundwater Protection Fund appropriation to programs specified in Section 455E.11, Code of Iowa. These include:

- \$100,303 for the Storage Tanks Study.
- \$447,324 for the Household Hazardous Waste Program.
- \$62,461 for administration of the Private Well Testing Program.
- \$1,686,751 for Groundwater Monitoring.
- \$618,993 for the Landfill Alternatives Program.
- \$192,500 for the Waste Reduction and Assistance Program.
- \$297,500 for the Geographic Information System Program.
- \$50,000 for the Solid Waste Authorization Program.

DETAIL: Maintains the current level of support.

6 5 2. Of the amount appropriated in subsection 1, the

Allocates \$300,000 from the Groundwater Protection Fund for a

6 6 department shall allocate \$300,000 for purposes of supporting
 6 7 a project to recycle hardware or equipment associated with
 6 8 personal computers.
 6 9 a. The department shall grant the moneys to a person who
 6 10 shall administer the project on a statewide basis.
 6 11 b. The department shall make the award to a person who
 6 12 applies in a manner and according to procedures required by
 6 13 the department. In scoring applications, the department shall
 6 14 provide the highest priority to a person who maintains at
 6 15 least fifty locations throughout the state which may be used
 6 16 as recycling centers and who will not charge a fee or charge a
 6 17 minimum fee to accept the hardware or equipment.

Computer Recycling Program. Specifies the Department will grant money based on a scoring system, and provide the highest priority for a person that maintains at least 50 locations throughout the State and charges a minimal fee to accept the computer equipment.

DETAIL: This is new Program.

6 18 DEPARTMENT OF NATURAL RESOURCES
 6 19 RELATED TRANSFERS

6 20 Sec. 13. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM.
 6 21 There is transferred on July 1, 2006, from the fees required
 6 22 to be deposited in the special snowmobile fund under section
 6 23 321G.7 to the fish and game protection fund and appropriated
 6 24 to the department of natural resources for the fiscal year
 6 25 beginning July 1, 2006, and ending June 30, 2007, the
 6 26 following amount, or so much thereof as is necessary, to be
 6 27 used for the purpose designated:
 6 28 For purposes of administering and enforcing the state
 6 29 snowmobile program:
 6 30 \$ 100,000

Transfers \$100,000 from the Snowmobile Fund to the State Fish and Game Protection Fund for administration and enforcement of snowmobile programs.

DETAIL: Maintains the current level of funding.

6 31 Sec. 14. SPECIAL CONSERVATION FUND -- NAVIGATION AND WATER
 6 32 SAFETY LAWS. There is transferred on July 1, 2006, from the
 6 33 fees required to be deposited in the special conservation fund
 6 34 under section 462A.52 to the fish and game protection fund and
 6 35 appropriated to the natural resource commission for the fiscal
 7 1 year beginning July 1, 2006, and ending June 30, 2007, the
 7 2 following amount, or so much thereof as is necessary, to be

Transfers \$1,400,000 from the Boat Registration Fund to the State Fish and Game Protection Fund for administration and enforcement of navigation laws.

DETAIL: Maintains the current level of funding.

7 3 used for the purpose designated:
 7 4 For purposes of administering and enforcing the state's
 7 5 navigation and water safety laws:
 7 6 \$ 1,400,000

7 7 DEPARTMENT OF NATURAL RESOURCES
 7 8 DESIGNATED APPROPRIATIONS

7 9 Sec. 15. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE
 7 10 TANK SECTION EXPENSES. There is appropriated from the
 7 11 unassigned revenue fund administered by the Iowa comprehensive
 7 12 underground storage tank fund board, to the department of
 7 13 natural resources for the fiscal year beginning July 1, 2006,
 7 14 and ending June 30, 2007, the following amount, or so much
 7 15 thereof as is necessary, to be used for the purpose
 7 16 designated:
 7 17 For purposes of paying for administration expenses of the
 7 18 department's underground storage tank section:
 7 19 \$ 200,000

Unassigned Revenue Fund (Underground Storage Tank Fund)
 appropriation to the DNR.

DETAIL: Maintains the current level of funding.

7 20 Sec. 16. UNASSIGNED REVENUE FUND --
 7 21 ENVIRONMENTAL REFUELING SYSTEMS ADVOCATE. There is
 7 22 appropriated from the unassigned revenue fund
 7 23 administered by the Iowa comprehensive underground
 7 24 storage tank fund board, to the department of economic
 7 25 development for the fiscal year beginning July 1,
 7 26 2006, and ending June 30, 2007, the following amount,
 7 27 or so much thereof as is necessary, to be used for the
 7 28 purposes designated:
 7 29 For purposes of supporting an environmental
 7 30 refueling systems advocate to provide technical
 7 31 assistance to service stations installing motor fuel
 7 32 tanks used to store E-85 gasoline, including salaries,
 7 33 support, maintenance, miscellaneous purposes, and for
 7 34 not more than the following full-time equivalent

Unassigned Revenue Fund (Underground Storage Tank Fund)
 appropriation to the Department of Economic Development (DED).

DETAIL: This is a new appropriation for an Environmental Refueling
 Systems Advocate to provide technical assistance to service stations
 installing motor fuel tanks to store E-85 gasoline.

7 35 position:

8 1 \$ 150,000

8 2 FTEs 1.00

8 3 The advocate shall be an engineer who the Iowa
8 4 comprehensive petroleum underground storage tank fund board
8 5 shall certify to install underground storage tanks and provide
8 6 fire safety and environmental protection guidelines for
8 7 removing underground storage tanks according to departmental
8 8 requirements.

Specifies the position be filled by an engineer and that the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board certify this person to install underground storage tanks and provide safety and environmental information.

8 9 Sec. 17. STORMWATER DISCHARGE PERMIT FEES -- REDUCING

8 10 FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary

8 11 provision of state law, for the fiscal year beginning July 1,

8 12 2006, and ending June 30, 2007, the department of natural

8 13 resources may use additional moneys available to the

8 14 department collected from stormwater discharge permit fees for

8 15 the staffing of the following additional full-time equivalent

8 16 positions for the purposes designated:

8 17 For purposes of reducing the department's floodplain permit

8 18 backlog:

8 19 FTEs 2.00

CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00 FTE positions for processing floodplain permits.

8 20 Sec. 18. STORMWATER DISCHARGE PERMIT FEES -- IMPLEMENTING

8 21 THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding

8 22 any contrary provision of state law, for the fiscal year

8 23 beginning July 1, 2006, and ending June 30, 2007, the

8 24 department of natural resources may use additional moneys

8 25 available to the department from stormwater discharge permit

8 26 fees for the staffing of the following additional full-time

8 27 equivalent positions for the purposes designated:

8 28 For purposes of implementing the federal total maximum

8 29 daily load program:

8 30 FTEs 2.00

CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00 FTE positions for the federal Total Maximum Daily Load (TMDL) Program.

8 31 IOWA STATE UNIVERSITY
 8 32 DESIGNATED APPROPRIATION
 8 33 Sec. 19. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT
 8 34 WATER QUALITY RESEARCH PROJECT. There is appropriated from
 8 35 the agrichemical remediation fund created in section 161.7 to
 9 1 the Iowa state university of science and technology for the
 9 2 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 9 3 the following amount, or so much thereof as is necessary, to
 9 4 be used for the purposes designated:
 9 5 For purposes of supporting a water quality research project
 9 6 which studies the effectiveness of alternative technologies
 9 7 used to reduce risks to water quality from effluent
 9 8 originating from open feedlots which house beef cattle:
 9 9 \$ 100,000

Appropriates \$100,000 from the Agrichemical Remediation Fund in the Department of Agriculture and Land Stewardship to Iowa State University to continue to study the effectiveness of alternative technologies used at open cattle feedlots.

DETAIL: Funding of \$100,000 was also appropriated for this Study in FY 2006.

9 10 In conducting the project, Iowa state university shall
 9 11 cooperate with the Iowa cattlemen's association, the
 9 12 department of natural resources, the department of agriculture
 9 13 and land stewardship, and the United States department of
 9 14 agriculture natural resource conservation service.

Specifies that Iowa State University cooperate with the Iowa Cattlemen's Association, the Department of Natural Resources, the Department of Agriculture and Land Stewardship, and the federal Department of Agriculture Natural Resource Conservation Service.

9 15 MISCELLANEOUS

9 16 Sec. 20. Section 455B.103A, subsection 4, Code Supplement
 9 17 2005, is amended to read as follows:
 9 18 4. a. Except as provided in paragraph "b", an
 9 19 applicant to be covered under a general permit shall pay a
 9 20 permit fee, as established by rule of the commission, which is
 9 21 sufficient in the aggregate to defray the costs of the permit
 9 22 program. Moneys collected shall be remitted to the
 9 23 department.

CODE: Requires the DNR to deposit fees collected from the issuance of National Pollutant Discharge Elimination System (NPDES) permits into the NPDES Permit Fund.

DETAIL: The issuance of NPDES permits is authorized in the federal Clean Water Act to control water pollution by regulating point sources that discharge pollutants into the water. The permits are normally issued to industrial, municipal, and other types of facilities. The processing of federal NPDES permits is administered by the DNR.

9 24 b. The commission shall adopt rules for a general permit
 9 25 described in section 455B.197, including fees, only to the

CODE: Requires the Environmental Protection Commission to adopt Administrative Rules for the issuance of general permits issued by the

9 26 extent that the rules are consistent with that section.

Department under the NPDES Permit Fund.

9 27 Sec. 21. Section 455B.105, subsection 11, Code Supplement
9 28 2005, is amended by adding the following new paragraph:
9 29 NEW PARAGRAPH. c. The commission shall adopt rules for
9 30 applications or permits related to the national pollutant
9 31 discharge elimination system (NPDES) coverage as described in
9 32 section 455B.197, including fees, only to the extent that the
9 33 rules are consistent with that section.

CODE: Requires the Environmental Protection Commission to adopt Administrative Rules for the issuance of NPDES permits issued by the Department.

9 34 Sec. 22. NEW SECTION. 455B.196 NATIONAL POLLUTANT
9 35 DISCHARGE ELIMINATION SYSTEM PERMIT FUND.
10 1 1. A national pollutant discharge elimination system
10 2 permit fund is created as a separate fund in the state
10 3 treasury under the control of the department. The fund is
10 4 composed of moneys appropriated by the general assembly and
10 5 moneys available to and obtained or accepted by the department
10 6 from the United States or private sources for placement in the
10 7 fund. The fund shall include moneys deposited into the fund
10 8 from fees charged for the processing of applications for the
10 9 issuance of permits related to the national pollutant
10 10 discharge elimination system as provided in section 455B.197.

CODE: Creates an NPDES Permit Fund in the DNR.

DETAIL: Money from payment of fees for the issuance of NPDES permits will be deposited into the NPDES Permit Fund.

10 11 2. Moneys in the national pollutant discharge elimination
10 12 system permit fund are appropriated to the department
10 13 exclusively to expedite the department's processing of
10 14 national pollutant discharge elimination system applications
10 15 and the issuance of permits.

Specifies money in the NPDES Permit Fund will be appropriated by the General Assembly to the DNR for processing NPDES permit applications.

10 16 3. Section 8.33 shall not apply to moneys credited to the
10 17 national pollutant discharge elimination system permit fund.
10 18 Notwithstanding section 12C.7, moneys earned as income or
10 19 interest from the fund shall remain in the fund until expended

CODE: Specifies nonreversion of funds credited to the NPDES Permit Fund.

10 20 as provided in this section.

10 21 Sec. 23. NEW SECTION. 455B.197 NATIONAL POLLUTANT
10 22 DISCHARGE ELIMINATION SYSTEM PERMITS.

10 23 The department may issue a permit related to the
10 24 administration of the national pollutant discharge elimination
10 25 system permit program pursuant to the federal Water Pollution
10 26 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
10 27 124 including but not limited to storm water discharge permits
10 28 issued pursuant to section 455B.103A. The department may
10 29 provide for the receipt of applications and the issuance of
10 30 permits as provided by rules adopted by the department which
10 31 are consistent with this section. The department shall assess
10 32 and collect fees for the processing of applications and the
10 33 issuance of permits as provided in this section. The
10 34 department shall deposit the fees into the national pollutant
10 35 discharge elimination system permit fund created in section
11 1 455B.196. The fees shall be established as follows:

11 2 1. For a permit for the discharge from mining and
11 3 processing facilities, NPDES general permit no. 5, the
11 4 following fee schedule shall apply:

11 5 a. An annual permit, one hundred twenty-five dollars each
11 6 year.

11 7 b. For a multiyear permit, all of the following shall
11 8 apply:

11 9 (1) A three-year permit, three hundred dollars.

11 10 (2) A four-year permit, four hundred dollars.

11 11 (3) A five-year permit, five hundred dollars.

11 12 2. For coverage under the national pollutant discharge
11 13 elimination system (NPDES) individual permits for storm water,
11 14 for a construction permit, an application fee of one hundred
11 15 dollars.

11 16 3. For coverage under the national pollutant discharge
11 17 elimination system (NPDES) individual permits for nonstorm
11 18 water, the following annual fees apply:

11 19 a. For a major municipal facility, one thousand dollars.

CODE: Increases the fees currently charged for NPDES permits.

FISCAL IMACT: The increased fees will generate an additional
\$500,000 in funds for the NPDES Permit Fund.

11 20 b. For a minor municipal facility, one hundred fifty
 11 21 dollars.
 11 22 c. For a semipublic facility, two hundred dollars.
 11 23 d. For a facility that holds an operation permit, with no
 11 24 wastewater discharge into surface waters, one hundred dollars.
 11 25 e. For a municipal water treatment facility, a fee shall
 11 26 not be charged.
 11 27 f. For a major industrial facility, two thousand dollars.
 11 28 g. For a minor industrial facility, one hundred seventy-
 11 29 five dollars.
 11 30 h. For an open feedlot operation as provided in chapter
 11 31 459A, an annual fee of two hundred fifty dollars.
 11 32 i. For a new facility that that has not been issued a
 11 33 current nonstorm water NPDES permit, a prorated amount which
 11 34 shall be calculated by taking the annual fee amount multiplied
 11 35 by the number of months remaining before the next annual fee
 12 1 due date divided by twelve.
 12 2 j. For a facility covered under an existing nonstorm water
 12 3 NPDES permit, a prorated amount which shall be calculated by
 12 4 taking the annual fee amount multiplied by the number of
 12 5 months remaining before the next annual fee due date divided
 12 6 by twelve.
 12 7 k. For a nonstorm water permit as provided in this
 12 8 subsection, a single application fee of eighty-five dollars.

12 9 Sec. 24. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
 12 10 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF NATURAL
 12 11 RESOURCES. There is appropriated from the national pollutant
 12 12 discharge elimination system permit fund created in section
 12 13 455B.196 to the department of natural resources for the fiscal
 12 14 year beginning July 1, 2006, and ending June 30, 2007, the
 12 15 following amount, or so much thereof as is necessary, to be
 12 16 used for the purposes designated:
 12 17 For purposes of expediting the department's processing of
 12 18 national pollutant discharge elimination system applications
 12 19 and the issuance of permits, including salaries, support,

National Pollutant Discharge Elimination System Permit Fund appropriation to the DNR for processing applications for NPDES permits.

DETAIL: This is a new appropriation.

12 20 maintenance, miscellaneous purposes, and for not more than the
 12 21 following full-time equivalent positions:
 12 22 \$ 400,000
 12 23 FTEs 4.00

12 24 Sec. 25. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
 12 25 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF ECONOMIC
 12 26 DEVELOPMENT. There is appropriated from the national
 12 27 pollutant discharge elimination system permit fund created in
 12 28 section 455B.196 to the department of economic development for
 12 29 the fiscal year beginning July 1, 2006, and ending June 30,
 12 30 2007, the following amount, or so much thereof as is
 12 31 necessary, to be used for the purposes designated:
 12 32 For purposes of expediting the department of natural
 12 33 resources processing of national pollutant discharge
 12 34 elimination system applications and the issuance of permits,
 12 35 including salaries, support, maintenance, miscellaneous
 13 1 purposes, and for not more than the following full-time
 13 2 equivalent positions:
 13 3 \$ 100,000
 13 4 FTEs 2.00

13 5 1. The department of economic development shall provide
 13 6 one full-time equivalent position to support an environmental
 13 7 advocate to provide technical assistance to persons engaged in
 13 8 livestock operations who may require a national pollutant
 13 9 discharge elimination system permit as provided in section
 13 10 455B.197.

13 11 2. The department of economic development shall provide
 13 12 one full-time equivalent position to support an environmental
 13 13 advocate to provide technical assistance to persons who are
 13 14 not engaged in livestock operations who may require a national
 13 15 pollutant discharge elimination system permit as provided in
 13 16 section 455B.197.

National Pollutant Discharge Elimination System Permit Fund appropriation to the DED for environmental advocates that will provide technical assistance to operations requiring a NPDES permit.

DETAIL: This is a new appropriation. One position will work with livestock operations and the other will work with non-livestock operations.

Specifies that 1.00 FTE position will be an environmental advocate to provide NPDES permit assistance to livestock operations.

Specifies that 1.00 FTE position will be an environmental advocate to provide NPDES permit assistance to non-livestock operations.

13 17 Sec. 26. TRAVEL POLICY.

13 18 1. For the fiscal year beginning July 1, 2006, each
13 19 department or independent agency receiving an appropriation in
13 20 this Act shall review the employee policy for daily or short-
13 21 term travel including but not limited to the usage of motor
13 22 pool vehicles under the department of administrative services,
13 23 employee mileage reimbursement for the use of a personal
13 24 vehicle, and the usage of private automobile rental companies.
13 25 Following the review, the department or agency shall implement
13 26 revisions in the employee policy for daily or short-term
13 27 travel as necessary to maximize cost savings.

13 28 2. Each department or independent agency subject to
13 29 subsection 1 shall report to the general assembly's standing
13 30 committees on government oversight regarding the policy
13 31 revisions implemented and the savings realized from the
13 32 changes. An initial report shall be submitted on or before
13 33 December 1, 2006, and a follow-up report shall be submitted on
13 34 or before December 1, 2007.

Requires the departments within the Agriculture and Natural Resources Appropriations Subcommittee to review their short-term use of vehicles and revise their policies on short-term use to maximize cost savings. The departments are required to issue an initial report by December 1, 2006, and a follow-up report by December 1, 2007, to the Government Oversight Committees, on their policy revisions and the savings realized from the changes.

13 35 EXPLANATION

14 1 GENERAL. This bill relates to agriculture and natural
14 2 resources by making appropriations for the 2006-2007 fiscal
14 3 year to support related entities, including the department of
14 4 agriculture and land stewardship, the department of natural
14 5 resources, the department of economic development, and Iowa
14 6 state university.

14 7 The bill appropriates moneys to the department of
14 8 agriculture and land stewardship and the department of natural
14 9 resources. The appropriations are made to support those
14 10 departments for administration, regulation, and programs. The
14 11 bill also provides moneys to support specific programs or
14 12 projects administered by those departments. The bill
14 13 appropriates moneys from a number of sources, including the
14 14 general fund of the state, the state fish and game protection
14 15 fund, and the groundwater protection fund.

14 16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the

14 17 department of agriculture and land stewardship, moneys are
14 18 appropriated in order to support its divisions.
14 19 The bill appropriates moneys from the general fund to
14 20 support animal husbandry including for the administration of
14 21 the chronic wasting disease program, horse and dog racing,
14 22 dairy products control, avian influenza control, and apiary
14 23 regulation. The bill also appropriates moneys to reimburse
14 24 commissioners of soil and water conservation districts for
14 25 expenses, a senior farmers market nutrition program, and to
14 26 support the department's membership in a river association.
14 27 DEPARTMENT OF NATURAL RESOURCES. For the department of
14 28 natural resources, moneys are appropriated from the general
14 29 fund in order to support its divisions.
14 30 The bill makes appropriations from other funds. The bill
14 31 appropriates moneys to the department of natural resources
14 32 from the state fish and game protection fund for support
14 33 programs related to fish and wildlife. It requires the
14 34 department to contract with a person to provide training and
14 35 assistance to persons interested in activities involving the
15 1 use of firearms. The bill appropriates moneys from the
15 2 groundwater protection fund to support groundwater quality and
15 3 allocates some of those moneys to support a computer recycling
15 4 program.
15 5 The bill makes an appropriation from moneys transferred to
15 6 the state fish and game protection fund to support snowmobile
15 7 programs and enforce state navigation and water laws.
15 8 Two appropriations are made from the unassigned revenue
15 9 fund administered by the Iowa comprehensive underground
15 10 storage tank fund board. An appropriation is made to the
15 11 department of natural resources for administration and
15 12 expenses of the underground storage tank section. A second
15 13 appropriation is to support an environmental refueling systems
15 14 advocate to provide technical assistance to service stations
15 15 installing E-85 motor fuel infrastructure.
15 16 The bill provides that the department of natural resources
15 17 may use additional funds for staffing to reduce the
15 18 department's floodplain permit backlog. The bill provides

15 19 that the department may use additional funds available from
15 20 stormwater discharge permit fees for staffing required to
15 21 implement the federal maximum daily load program.
15 22 IOWA STATE UNIVERSITY. The bill appropriates moneys to
15 23 Iowa state university to continue a project to perform water
15 24 quality research to determine methods to reduce risks to water
15 25 quality associated with open feedlot runoff.
15 26 MISCELLANEOUS. The bill provides for a schedule of fees to
15 27 be paid by persons submitting applications and obtaining
15 28 permits from the department of natural resources relating to
15 29 the national pollutant discharge elimination system (NPDES)
15 30 program.
15 31 The bill includes a directive for the departments and
15 32 independent agencies receiving an appropriation in the bill to
15 33 review employee policy for daily or short-term travel and to
15 34 implement policy revisions to maximize cost savings. The
15 35 directive includes requirements for reporting to the
16 1 committees on government oversight.
16 2 LSB 5190HV 81
16 3 da:jp/sh/8.1

Summary Data

General Fund

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
Ag. and Natural Resources	\$ 34,923,463	\$ 36,750,180	\$ 37,600,180	\$ 36,850,180	\$ 100,000	
Grand Total	<u>\$ 34,923,463</u>	<u>\$ 36,750,180</u>	<u>\$ 37,600,180</u>	<u>\$ 36,850,180</u>	<u>\$ 100,000</u>	

Ag. and Natural Resources

General Fund

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
<u>Ag. & Land Stewardship</u>						
Administrative Division	\$ 17,263,319	\$ 17,837,900	\$ 18,187,900	\$ 17,837,900	\$ 0	PG 1 LN 3
Chronic Wasting Disease		100,000	100,000	100,000	0	PG 1 LN 18
Regulatory Dairy Products	632,170	643,166	643,166	693,166	50,000	PG 2 LN 10
Avian Influenza	50,000	50,000	50,000	50,000	0	PG 2 LN 20
Apiary Program		40,000	40,000	40,000	0	PG 2 LN 34
Soil Commissioners Expense		200,000	200,000	250,000	50,000	PG 3 LN 11
Sr. Farmers Market Program		77,000	77,000	77,000	0	PG 3 LN 29
Missouri River Authority	9,535	9,535	9,535	9,535	0	PG 4 LN 4
Total Ag. & Land Stewardship	\$ 17,955,024	\$ 18,957,601	\$ 19,307,601	\$ 19,057,601	\$ 100,000	
<u>Natural Resources, Department of</u>						
DNR Operations	\$ 16,968,439	\$ 17,792,579	\$ 18,292,579	\$ 17,792,579	\$ 0	PG 4 LN 16
Total Ag. and Natural Resources	\$ 34,923,463	\$ 36,750,180	\$ 37,600,180	\$ 36,850,180	\$ 100,000	

Summary Data

Non General Fund

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
Ag. and Natural Resources	\$ 36,682,114	\$ 38,038,873	\$ 38,383,873	\$ 40,283,873	\$ 2,245,000	
Economic Development	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	
Grand Total	<u>\$ 36,682,114</u>	<u>\$ 38,038,873</u>	<u>\$ 38,383,873</u>	<u>\$ 40,533,873</u>	<u>\$ 2,495,000</u>	

Ag. and Natural Resources

Non General Fund

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
<u>Ag. & Land Stewardship</u>						
Native Horse & Dog Program	\$ 305,516	\$ 305,516	\$ 305,516	\$ 305,516	\$ 0	PG 1 LN 34
Open Feedlots Research Project		100,000	100,000	100,000	0	PG 8 LN 31
Total Ag. & Land Stewardship	\$ 305,516	\$ 405,516	\$ 405,516	\$ 405,516	\$ 0	
<u>Natural Resources, Department of</u>						
Fish & Wildlife Approp	\$ 31,220,766	\$ 32,477,525	\$ 34,322,525	\$ 34,322,525	\$ 1,845,000	PG 4 LN 29
Groundwater Protection Fund	3,455,832	3,455,832	3,455,832	3,455,832	0	PG 5 LN 27
Snowmobile Fees To F&G Fund	100,000	100,000		100,000	0	PG 6 LN 20
Boat Registration Fees To F&G	1,400,000	1,400,000		1,400,000	0	PG 6 LN 31
UST Administration Match	200,000	200,000	200,000	200,000	0	PG 7 LN 9
NPDES Permit Fund				400,000	400,000	PG 12 LN 9
Total Natural Resources, Department of	\$ 36,376,598	\$ 37,633,357	\$ 37,978,357	\$ 39,878,357	\$ 2,245,000	
Total Ag. and Natural Resources	\$ 36,682,114	\$ 38,038,873	\$ 38,383,873	\$ 40,283,873	\$ 2,245,000	

Economic Development

Non General Fund

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
<u>Economic Development, Dept. of</u>						
E85 Environmental Advocate				\$ 150,000	\$ 150,000	PG 7 LN 20
NPDES Env. Advocate				100,000	100,000	PG 12 LN 24
Total Economic Development, Dept. of	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	
Total Economic Development	\$ 0	\$ 0	\$ 0	\$ 250,000	\$ 250,000	

Summary Data

FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
Ag. and Natural Resources	1,390.72	1,507.02	1,509.02	1,522.02	15.00	
Economic Development	0.00	0.00	0.00	3.00	3.00	
Grand Total	1,390.72	1,507.02	1,509.02	1,525.02	18.00	

Ag. and Natural Resources

FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
<u>Ag. & Land Stewardship</u>						
Administrative Division	352.03	404.39	404.39	404.39	0.00	PG 1 LN 3
<u>Natural Resources, Department of</u>						
DNR Operations	1,038.69	1,102.63	1,104.63	1,113.63	11.00	PG 4 LN 16
NPDES Permit Fund				4.00	4.00	PG 12 LN 9
Total Natural Resources, Department of	<u>1,038.69</u>	<u>1,102.63</u>	<u>1,104.63</u>	<u>1,117.63</u>	<u>15.00</u>	
Total Ag. and Natural Resources	<u><u>1,390.72</u></u>	<u><u>1,507.02</u></u>	<u><u>1,509.02</u></u>	<u><u>1,522.02</u></u>	<u><u>15.00</u></u>	

Economic Development

FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Approp FY 2007 (4)	House Approp vs Est FY 2006 (5)	Page & Line Number (6)
<u>Economic Development, Dept. of</u>						
E85 Environmental Advocate				1.00	1.00	PG 7 LN 20
NPDES Env. Advocate				2.00	2.00	PG 12 LN 24
Total Economic Development, Dept. of	0.00	0.00	0.00	3.00	3.00	
Total Economic Development	0.00	0.00	0.00	3.00	3.00	